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IMPLEMENTATION OF THE INTERNATIONAL COVENANT ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS

List of issues to be taken up in connection with the consideration of the initial report of EGYPT concerning the rights covered by articles 1 to 15 of the International Covenant on Economic, Social and Cultural Rights (E/1990/5/Add.38)

I. GENERAL FRAMEWORK WITHIN WHICH THE COVENANT IS IMPLEMENTED

A. The status of the International Covenant on Economic, Social and Cultural Rights

1. The Egyptian Permanent Constitution of 1971 currently in force is described in the report as an embodiment of human rights principles and standards. Please cite specific cases where economic, social and cultural rights have been invoked in Egyptian courts. Does Egyptian law create any right of action on behalf of individuals or groups who feel that their economic, social and cultural rights are not being fully realized?

2. How does the Government of Egypt guarantee that all State authorities assigned to ensure compliance with constitutional and legal rules regarding human rights are sufficiently knowledgeable about human rights and freedoms?

3. What is the position of Egypt in relation to the draft optional protocol to the Covenant?

B. Information and publicity concerning the Covenant

4. Please describe in detail the manner in which educational curricula in all levels are being developed so that the provisions of human rights instruments can be more widely known.

5. Please provide "detailed reference" to endeavours and programmes of governmental and non-governmental organizations which promote greater awareness of international human rights instruments (paras. 41-42).

6. What is the position of the Government regarding the role of NGOs in reporting human rights abuses?

II. ISSUES RELATING TO THE GENERAL PROVISIONS OF THE COVENANT (arts. 1-5)

Article 2.1. Achieving progressively the full realization of ESCR

7. Please provide updated statistics relating to social and economic indicators, including national budget allocations in the areas of food, health, housing, education and culture.

Article 2.2. Non-discrimination

8. The report describes the "economic rights of non-nationals". Please discuss in what way non-nationals are not guaranteed the rights recognized in the Covenant. What are the difficulties encountered regarding the implementation of these rights as far as non-nationals are concerned?

9. The Government of Egypt has made reservations to the 1951 Convention relating to the Status of Refugees and its 1967 Protocol which ensure the economic, social and cultural rights of refugees and asylum-seekers. Specifically, reservations have been made to article 22.1 on public education and article 24 on labour legislation and social security. Please explain why these reservations were made, in the light of Egypt's obligations under the Covenant.

Article 3. Equality between men and women

10. Please indicate the main difficulties in implementing legislation regarding equality between women and men in the enjoyment of their economic, social and cultural rights. What measures is the Government taking to address these obstacles?

11. Please explain why illiteracy rates for women in Egypt are much higher than those for the men.

III. ISSUES RELATING TO SPECIFIC PROVISIONS OF THE COVENANT (arts. 6-15)

Article 6. Right to work

12. What measures has the Government taken to combat the serious problem of unemployment and what has been the result of these measures?

13. Please provide information on the current government privatization programme which has resulted in numerous cases of forced early retirement, arbitrary dismissal and unemployment, as well as the wholesale shutdown of factories.

Article 7. Right to just and favourable conditions of work

14. The report describes the provisions of Act No. 137 of 1981 concerning wages. How are these provisions implemented in practice?

15. Indicate the difficulties encountered in the supervision and implementation of minimum wages.

16. Please indicate how the Government is implementing the concept of equal pay for work of equal value as provided for in the Covenant.

Article 8. Trade union rights

17. Please clarify why under Egyptian law all trade unions are required to join a single federation - the Egyptian Trade Union Federation.

18. What measures are being taken by the Government to address wage related problems, and poor working conditions in both the public and the private sectors which have led to an increasing number of strikes throughout Egypt?

19. Please explain why the Government tolerates the practice of hiring labour on condition that the persons hired renounce from joining, or resign from, labour unions.

20. Please explain the provisions of the new Bill on Associations and Private Institutions and why these are causing a wave of protests from development agencies and human rights organizations.

Article 9. Right to social security

21. Please update the information provided in the report on laws and policies pertaining to social security.

Article 10. Protection of the family, mothers and children

22. Please indicate the legal and practical difficulties in guaranteeing the right of men and women to enter into marriage with their full and free consent.

23. Please discuss the extent of domestic violence against women, particularly the factors underlying the problem, government measures to address the problem and the difficulties encountered in such efforts. Please indicate which government institution is assigned the task of protecting and promoting women's rights.

24. Please provide information regarding laws and practices relating to property and inheritance for women and children. In this regard, what is the legal status of children born out of wedlock?

25. Please indicate the difficulties encountered in implementing the various legislative measures for the protection of children described in the report, particularly taking into account the problems relating to child labour, substance abuse, child abuse, prostitution and trafficking of children.

26. Please describe the situation of the elderly and the specific measures the Government is undertaking for their protection.

Article 11. Right to an adequate standard of living

27. Please provide a detailed description of the impact of the growth in the population on the right to adequate food and housing in Egypt. Please indicate the measures being implemented and the difficulties encountered in the government effort to curb population growth.

28. Please indicate whether a poverty line has been established in Egypt, and if so, please indicate the percentage of the Egyptian population living below that line.

29. Please describe how the standard of living has changed over the past five years for the various socio-economic groups in Egypt. In this connection, please provide information regarding the progress so far of the "phased overall development plans" designed to improve the standard of living (para. 148).

30. Please discuss to what extent Law 96 of 1992 relating to agriculture has adversely affected the economic, social and cultural rights of tenant farmers in Egypt and describe government efforts to implement legal safeguards for their protection. In this regard, what is the Government doing to protect farmers from being forcibly evicted from their farms without suitable alternative housing.

31. Please describe the activities being undertaken by the Government to implement the plans towards increasing self-sufficiency in food discussed in paragraph 153 of the report.

32. What is the Government doing to improve living conditions in the shanty towns referred to in paragraph 160 of the report?

Article 12. Right to health

33. What measures is the Government taking to address the specific health needs of women, including reproductive health care.

34. Provide updated information on the effectiveness of government measures to eradicate the practice of female genital mutilation in Egypt.

35. Please indicate what measures the Government is taking to protect the economic, social and cultural rights of persons with disabilities and of persons with mental illness.

36. Please indicate measures taken by the Government to solve the severe pollution crisis, especially in areas affected by the cement industry. Please identify the obstacles to the full enforcement of Environmental Law No. 4.

Articles 13 and 14. Right to education

37. Please provide the latest enrolment statistics, disaggregated by gender, for students attending school at various levels.

38. Please discuss the disparities that exist between boys and girls as far as access to basic and secondary education is concerned.

39. What are the reasons for the high drop-out rates in schools and what measures are being undertaken to address the problem?

40. Please provide information on the evolution of teachers' salaries over the past five years relative to the cost of living and relative to the salaries of other professionals with similar qualifications in the public sector.

Article 15. Right to take part in cultural life

41. Please describe the specific programmes aimed at preserving the language and culture of the main ethnic minorities.

42. What is the legal basis for the practice of censorship in Egypt?